

## Update on Bay Delta Conservation Plan (BDCP)

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**Requested Action:** Review report status of BDCP and on transition document (if available in time for meeting), discuss matrix and approve draft comment letter from Council re BDCP.

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### Summary

On Nov. 18, the BDCP Steering Committee completed work on a draft of the Bay-Delta Conservation Plan, noting that several issues remained to be decided and that many of these open issues would be predicated on completion of an effects analysis that would not be finished until January.

Shortly after that meeting, two participants on the Steering Committee – Westlands Water District and the San Luis-Delta Mendota Water Authority – announced that they were withdrawing from continued involvement with BDCP. In a press release, Westlands blamed a lack of cooperation from the federal government. The Westlands letter to Deputy Interior Secretary David Hayes, and his response, are attached (Attachments 1 and 2).

Expected sometime the week of Feb. 13 is a transition document from the state Natural Resources Agency that reportedly will discuss progress on BDCP, issues that remain to be resolved, and point to a recommended path forward. Assuming this document is released prior to the Council's December meeting, staff will present a preliminary analysis at the meeting, as well as a draft comment letter based on that document.

Independent consultant ARCADIS has completed a targeted review of the Nov. 18 BDCP draft and its report is attached long with the fourth update of the BDCP unresolved issues matrix (Attachments 3 and 4).

### Background

The BDCP Steering Committee completed the Steering Committee Working Draft Plan on November 18 and released a clean version of the document on November 23. This draft will represent progress to date on the BDCP, but admittedly is incomplete pending closure of several key issues and completion of modeling runs and an effects analysis. A Transition Document is being prepared by the Resources Agency to summarize, from the State's perspective, all the major unresolved issues and to provide a path forward.

Although the Steering Committee has no meetings scheduled, it is expected that work on the plan will continue in the new administration and keep to the scheduled release of a draft BDCP along with a Draft EIR/EIS in late spring or summer of 2011.

Any delays in producing the BDCP – both Plan and EIR – will inevitably impact the Councils work on the Delta Plan as the Council is mandated by statute to adopt the Delta Plan and commence implementation, no later than January 1, 2012.

**List of Attachments**

Attachment 1: Westlands Water District Letter to David Hayes  
Attachment 2: Response from David Hayes to Westlands Water District  
Attachment 3: December Report from ARCADIS  
Attachment 4: Fourth Update of BDCP Unresolved Issues Matrix

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